

REMARKS/ARGUMENTS

In the Office Action mailed April 1, 2009, claims 1 – 24 were subject to a restriction and/or election requirement. In particular, the Office action states that the application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1:

Group I, claims 1 – 15; drawn to a multilayer circuit board, classified in class: 174, subclass: 261;

Group II, claims 16 – 24, drawn to a method of manufacturing a multilayer circuit board, classified in class: 29, subclass: 852.

In response, Applicants elect with traverse Group I, claims 1 – 15.

Applicants respectfully traverse the restriction requirement as inappropriate for the reasons set forth below. In addition, Applicants assert that there would be no undue burden in examining these alleged Group I and II embodiments of the claims.

The fees for examination of these claims have been remitted with the filing of the national application. Applicants merely request that they receive examination that has been paid for.

In the present Office action, an election is required among two groupings of claims because the application contains “inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.” Applicants respectfully assert that this condition is incorrectly applied to the instant invention because the identified groupings include common distinguishing technical features, namely each group includes vias formed between a first layer and a fourth layer, where pairs of vias have a specified spacing; “a spacing between each pair thereof larger than a smallest spacing between adjacent electrical contacts of the plurality of electrical contacts” (claim 1) and “each via spaced apart from other vias by at least 1.2 times a minimum spacing between electrical contacts of the first subset and the second subset” (claim 16) and thus the groupings are related to a single inventive concept under PCT Rule 13.1.

Applicants believe that the common features outlined in the claims are so linked as to form a single general inventive concept. For some guidance, Applicants have reviewed the International Search Report (ISR), the International Preliminary Report on Patentability (IPRP), and the Written Opinion (WO) for Application No. PCT/IB2005/050452 (Publ. No. WO 2005/076677 A1, published August 18, 2005), which corresponds to this national application. The ISR, the IPRP, and the WO note no issues with respect to a “Lack of Unity of Invention” in the pending claims (claims 1 – 24). Therefore, the review made by WIPO regarding Applicants’ invention showed no need to parse out claims 1 – 24 and found no undue burden in performing a search on all of the claims.

For convenience, a copy of the ISR, IPRP, and the WO are enclosed.

Group I is further subject to an election of specie for being allegedly being drawn to more than one single disclosed specie. The species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1. The species are identified as follows:

Specie I: figures 2a, 2b, 2c, and 2d;

Specie II: figure 3a, 3c, and 3d; and

Specie III: figure 3b.

Since Applicants have elected Group I, claims 1 – 15, Applicants also elect Species I. Applicants assert that claims 1 – 15 read on Species I.

In light of the arguments presented, Applicants request that the Examination of claims 1 – 24 as a whole, continue.

CONCLUSION

Applicants respectfully request reconsideration of the claims in view of the remarks made herein.

Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of 5/1/2009 to and through 6/1/2009, comprising an extension of the shortened statutory period of one month.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

/mark a. wilson/

Date: May 29, 2009

Mark A. Wilson
Reg. No. 43,994

Wilson & Ham
PMB: 348
2530 Berryessa Road
San Jose, CA 95132
Phone: (925) 249-1300
Fax: (925) 249-0111